

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DEC 13 2006

CLERK
U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA

)

)

v.

)

CR. NO. 2 :06 CR-298-WKW-SRW

[21 USC 841(a)(1);

18 USC 924(c)(1)(A)(i);

18 USC 922(g)(1)]

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INDICTMENT

REGINALD LASHAWN SAWYER

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The Grand Jury charges:

COUNT 1

On or about October 8, 2006, in Montgomery County, within the Middle District of Alabama,

REGINALD LASHAWN SAWYER,

defendant herein, did knowingly and intentionally possess with intent to distribute 50 grams or more of cocaine base or "crack," a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 2

On or about October 8, 2006, in Montgomery County, within the Middle District of Alabama,

REGINALD LASHAWN SAWYER,

defendant herein, did knowingly and intentionally possess with intent to distribute cocaine hydrochloride, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 3

On or about October 8, 2006, in Montgomery County, within the Middle District of Alabama, defendant herein, did knowingly and intentionally possess with intent to distribute marijuana, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1).

COUNT 4

On or about October 8, 2006, in Montgomery County, within the Middle District of Alabama, defendant herein, knowingly used and carried a firearm during and in relation to, and possessed a firearm in furtherance of, a drug trafficking crime for which he may be prosecuted in a Court of the United States, to-wit: possession with intent to distribute cocaine base, cocaine hydrochloride, and marijuana as charged in Counts 1, 2 and 3 of this Indictment. All in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

COUNT 5

On or about October 8, 2006, in Montgomery County, within the Middle District of Alabama, defendant herein, having been convicted of a felony, a crime punishable by imprisonment for a term exceeding one year under the laws of the State of Alabama, to-wit:

March 2, 2005 - Possession of Marijuana First Degree, in the Circuit Court of Montgomery County, Alabama case number CC 05-100;

did knowingly possess in and affecting commerce a firearm, to-wit: a Glock, model 22 .40 caliber pistol. All in violation of Title 18, United States Code, Section 922(g)(1).

FORFEITURE ALLEGATION - 1

A. Counts 1 through 5 of this indictment are hereby repeated and incorporated herein by reference.

B. Upon conviction for the violation as alleged in Counts 1 through 3 of this indictment, the defendant,

REGINALD LASHAWN SAWYER,

shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the said defendant obtained, directly or indirectly, as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Counts 1 through 3, including but not limited to the following:

Three Thousand Dollars (\$3,000) in United States currency seized from Reginald LaShawn Sawyer on October 8, 2006.

C. If any of the forfeitable property described in this forfeiture allegation, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or,
- (5) has been commingled with other property which cannot be subdivided without difficulty; the United States, pursuant to Title 21, United States Code, Section 853, intends to seek

an order of this Court forfeiting any other property of said defendant up to the value of the forfeitable property.

All in violation of Title 21, United States Code, Section 841.

FORFEITURE ALLEGATION - 2

A. Counts 1 through 5 of this indictment are hereby repeated and incorporated herein by reference.

B. Upon conviction for the violation as alleged in Counts 4 and 5 of this indictment, the defendant,

REGINALD LASHAWN SAWYER,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924, and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the commission of this offense, including but not limited to the following:

One Glock, model 22 .40 caliber pistol.

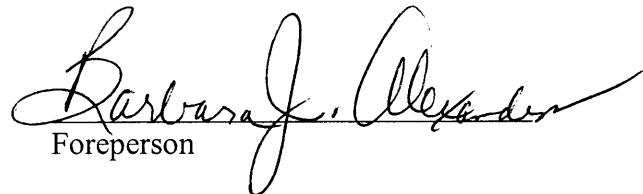
C. If any of the property described in this forfeiture allegation, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred, sold to, or deposited with a third person;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or,
- (5) has been commingled with other property which cannot be divided without difficulty, the United States, pursuant to Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c), intends to seek an Order of this Court forfeiting

any other property of said defendant up to the value of the property described in the above paragraphs.

All in violation of Title 18, United States Code, Sections 922 and 924.

A TRUE BILL:

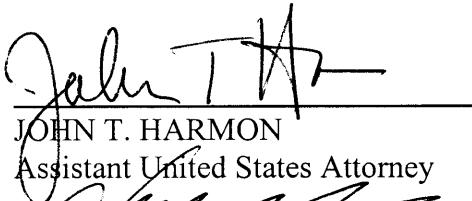


Barbara J. Alexander
Foreperson



Leura G. Canary

LEURA G. CANARY
United States Attorney



John T. Harmon

JOHN T. HARMON
Assistant United States Attorney



Verne H. Speirs

Assistant United States Attorney